

COMMISSIONERS APPROVAL

CHILCOTT *g*

LUND *BL*

THOMPSON *AT*

TAYLOR (Clerk & Recorder)

Date.....June 6, 2006

Members Present.....Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Sally Fortino and Glenda Wiles

The Board of County Commissioners met to discuss and possibly decide on fire code improvements on fuel tanks as they relate to FBO's at the airport. Present at this meeting was Civil Counsel James McCubbin, Airport Board Members Dave Hedditch & Fred Haaskamp, FBO Steve Wolters, Attorney Richard Weber, Citizen Tex Irwin, Airport Board Member Carl Fox and several members of the public.

Also present was Charlie Van Dam who is an engineer speaking on behalf of Steve Wolters, regarding the interest in meeting all codes and keeping the airport as environmentally safe as possible. Tanks had been delivered but were not in place when the area was inspected by the Fire Marshal. There was no interaction to indicate approval or disapproval at the time of inspection. Charlie pointed out that no comments or queries were received within the specified time; therefore, it was assumed the installation was approved.

Commissioner Thompson said plans must be received by registered mail and asked if this was done. Charlie said they were not sent by registered mail, but they must have been received or he wouldn't have come out for inspection.

James said the plans do not include the current plans on the south side of the tanks. Were the submitted plans the same?

Charlie said these are the only plans submitted. It is up to the State Fire Marshal to determine these were sufficient. James said getting current specifications together would be an easy solution; make sure all agree they are appropriate and submit them to the Fire Marshal via certified mail.

Charlie said they are trying to make modifications to current fire codes. They propose to remove the pumps to their own basin. Dick Larson agrees with it. They expect a lined loading and unloading area and an asphalt containment area, which will be pumped if

enough water accumulates. Regarding security fencing, Charlie said current codes state, under identification and security, Chapter 66, there is no specific reference to fencing. They leave it to the installation to decide necessary security. There is always someone attending the loading and unloading of fuel. All power is controlled from inside the hangar. From their standpoint there is little risk of tampering. They want to do what is right and what makes sense. They want to make modifications and address the Fire Marshal's concerns; loading and unloading areas must be safe.

Commissioner Chilcott said the south side tanks couldn't get a truck and tanker to negotiate the turns, as they currently exist. How about moving the loading area to the west side? Steve said the loading area on the east would be bermed; it lacks five feet of coming to the edge of the road.

Commissioner Chilcott asked if he meant the edge of the travel surface. Steve said he meant the edge of the paved road.

Commissioner Chilcott asked about the width of the roadway. James estimated 40' wide. Commissioner Chilcott felt 30' would be more accurate.

Steve said there was nothing there when they installed tanks in 2002. They did as they were instructed to do. Re-plumbing will be a major expense. Everything was installed as per the Airport Manager's instructions.

Commissioner Chilcott said it looks like an installation of approximately 40' of pipe if they were installing containment under the east end or the west end.

Richard Weber said it is not a fire code issue.

Steve said they are not relocating the entire system to the south, only moving plumbing, electrical motors and pumps into the basin.

Commissioner Lund asked if it would be better to fuel from the south side, with a concrete pad.

Commissioner Chilcott said the fuel trucks couldn't negotiate the turns. He suggested moving the loading area to the other end; with 44' of wire and pipe everything else would remain the same.

Richard Weber asked if the Board of County Commissioners plan to use the road that is facilitating the Forest Service. Commissioner Chilcott said the Forest Service goes where they want/need to. Steve said they couldn't be driving through the airport seat base area. Richard suggested they relocate electrical motors and pumps, the asphalt base gets answered, and they get fencing solved another time.

James suggested getting everyone to agree on the basic plan and submit it to the Fire Marshal by registered mail. The Board of County Commissioners' approval should be contingent on approval by the Fire Marshal or failure to respond.

Charlie said the old rule is 50 days to respond and fire codes must be met. James said there is an enforcement issue if the codes are not met. He said the letter from the Fire Marshal, dated April 30, 2006, indicates problems were suspected.

Charlie said the security fence is the only issue. All others have been agreed upon.

Commissioner Chilcott asked about the capacity of containment and loading areas.

Charlie said it is 8,000 gallons.

Commissioner Thompson asked how often fuel is delivered. Steve said twice per month in the summer and every other month in the winter. Each offload averages two hours.

Commissioner Thompson asked how often uploads are done. Steve said twice per week, each taking fifteen minutes.

Commissioner Thompson asked how they would access the west side. Commissioner Chilcott asked if you could back up a pup trailer from the area. Steve said no.

Commissioner Lund said short of turning around in the Forest Service parking lot, there is no way out.

Carl said they could close the road during fueling operation, perhaps with a gate.

James said a new road would solve the problem.

Carl said it would have no effect on public access to the airport. Other factors are parking at North Star, which presents more hazard than this truck parking. Keep the other road closed all the time. Then build hangars to the north. That would stop potential traffic behind the hangar. If you travel south of the hangar you can see the problem. A new road is really important. The SEAT base is really important. It is a road; it is for the County. They are hoping for help with the Road Department.

Commissioner Chilcott said it is important to determine if this will meet fire code. The Commissioners don't have the authority to answer that question.

James said if the Fire Marshal doesn't review plans anymore, spill containment and fencing are issues to address. Richard said the Fire Marshal could bring an enforcing action in the future if he wants fencing. James suggested gates across the road could satisfy the fencing factor. Commissioner Chilcott said he discussed it with the Road Department; there will be a net cost to the airport to accommodate. James said there is a cost to remove pads to the south or west of the tanks. If North Star could help with these

costs, it may be a win/win situation. Fred said some gravel has been stockpiled for this project. Commissioner Lund said the airport was considering a trade of topsoil for paving. She added that building to ASTHOW standard would be costly.

James said the type of vehicles (heavy commercial) is the concern, not their number. Carl said problems are avoided this way. To the west will require major construction.

Commissioner Thompson and James left the meeting to confer. Commissioner Lund placed a call to Dave Ohnstad at the Road Department. Commissioner Thompson & James returned to the meeting.

Steve said tanks are more to the west. Plumbing is on the platform; if we move to the south or west we would have to move the platform. The tanks are where we were instructed to put them. Commissioner Chilcott said he would talk to Page, Interim Airport Manager, to determine costs, etc.

Tex suggested they place signs: Authorized Vehicles Only. Second containment areas and second fueling sites are there. Have you addressed roads to that site? The National Fire Protection Association site says fencing is a bad idea. It limits points of entry to address fires and emergency situations. It will be necessary to repeat whatever you do here at the second site. The rules from the NFPA say 'site-specific' when necessary. It hasn't been necessary so far, from a security or tampering issue.

Commissioner Thompson said he is not having a problem with loading on the east, as proposed. The road needs to go in; it would relieve the congestion that exists presently. His concerns are businesses at the airport having no lease, and complying with what the Fire Marshal has dictated. He doesn't see a problem with loading.

Commissioner Lund asked if the containment area would be shared with a second fuel farm. Charlie said there are several sites, one to the north of the North Star system. Steve said there is access to the north or south. Commissioner Chilcott said it could only be done to the west; a drain field is there now. Carl asked if the drain field could be moved to the mound. James said a second one would require a loading area. Tex said the reference is to the site approved by the Board of County Commissioners. Mark Fournier will use a truck with a pup trailer, the same scenario as with North Star.

Commissioner Chilcott asked about the capacity of the tanks. Steve said they are 20,000 gallons each.

Commissioner Lund asked how Mark Fournier's tanks would be filled.

Carl said the trucks would come in by the café, and then turn back by his building. The only other way is to go down the ramp in front of North Star and back out on the proposed road.

Commissioner Chilcott said he agreed with Alan; placing to the east is ok, with some mechanism on the road to offer protection while off-loading fuel. The Airport Board needs to address fencing with the Fire Marshal.

James suggested a new commercial lease showing commercial use, with certification that all applicable regulations and concerns of Fire Marshal (in 4-'06 letter) have been addressed. If we put in gates, it might be enough for them. Steve said barricades and cones would be his choice. Commissioner Chilcott agreed with the importance of taking measures to keep out errant pilots.

Commissioner Thompson made a motion to approve a new commercial lease for this site, with the plans presented with appropriate descriptions, accompanied by an engineer's letter certifying that all applicable regulations and concerns of the Fire Marshal have been addressed. Commissioner Lund seconded the motion and all voted 'aye'.

In other business the Board met with 9-1-1 Department Head Joanna Hamilton in regard to adding phone lines that will allow their system to have caller identification. The cost is less than \$1,000.00. This money is in her 9-1-1 budget and is collected within the 9-1-1 tariff money. The Board concurred this is a good use of the money and agreed she could move forward with the addition of these lines.

The Board addressed the openings on the Planning Board. Four applications were received. Commissioner Lund made a motion to move Frankie Laible into the Darby position with her recent move, opening the At-Large position. Commissioner Thompson seconded the motion. Discussion of the motion took place. Commissioner Thompson stated they could consider leaving Frankie in the At Large position because Torri Nobles and others will want a seat on the board and he is not willing to appoint her and some others that might apply. Commissioner Lund referred to the lawsuit against the county by Torri, stating she would have a hard time appointing someone to a board when that person has sued the county. She suggested Dale Brown from the north end of the valley could be appointed as the At-Large member as residents from the north valley are needed. Commissioner Chilcott said Frankie lives in Darby up the West Fork which is part of the Darby community, while Torri lives on Lost Horse, which is in Hamilton. Commissioner Chilcott stated the lawsuit has been settled. No further discussion was held. All voted "aye".

This opened the At-Large position that Frankie held. Commissioner Lund made a motion to appoint Dale Brown to the At-Large position. Commissioner Thompson seconded the motion and all voted "aye". Both terms end 12/31/06. Victor and Lone Rock positions are still to be filled.

Park Board Members Gary Leese and John Ormiston asked for a Park Board Member to serve on the Planning Board. He stated a lot is happening with the Park Board and they need the ability to share the information with the Planning Board. Commissioner Thompson stated he visited with legal counsel and the process would be to change the 9-member board by one member, which would take a public process and time to make that

change for the by-laws. The suggestion, if beneficial, is the Commissioners could allow a Park Board member as ex-officio, without voting privileges. This would allow input. Commissioner Lund suggested Gary be the Lone Rock representative. Gary stated he is very busy and would not have the ability to serve on this board. John stated it would be ideal to have this Park Board representative have a vote on the Planning Board. He felt they should continue to have collaboration with the developers in regard to the park issues. John felt this was important because the developers need to think about parks and recreation needs when they begin the subdivision process. Commissioner Chilcott said a change in the makeup of the Planning Board is a process. They could define this as a Park Board non-voting representative to the Planning Board who would have a seat at the table for comment, etc. Commissioner Lund made a motion to establish a non-voting position for a Park Board representative on the Planning Board in order to give recommendations for the Park Board. She also noted the Park Board representative must be a landowner in the valley. Commissioner Thompson seconded the motion and all voted "aye".

In other business the Board held a second public hearing for Community Development Block Grant funds. Present at this meeting Charlie Wright of the Department of Commerce, Vicki Hudson and Darrin Heitman of GSK, and Monte Drake of RCEDA.

Commissioner Chilcott read the legal notice calling the meeting to order. He stated due to the fact that oral or written testimony can be given to the Commissioners until June 8th, he would like to continue this meeting until June 8th in the morning hours.

It was noted only one application was received and presented to the Commissioners by GSK Bio-Hamilton.

Darrin Heitman presented a power point presentation for their training platform with information as follows:

The GSK focus is to recruit a working-class employee base. They have job training, which focuses on key skills, allowing for timely ramp-up to full productivity. They align the individual objectives with company and business unit goals with their GSK Spirit. Trainees study the Standard Operating Procedures, which are complimented by videos and a CD-based learning system. The trainees would have the opportunity to evaluate their own progress before being tested by a trainer. Production runs produce quite a bit of pressure, as they must be done correctly.

Training guide principles for GSK include the following: initial training linked to business strategy, capabilities are measured before the product is at risk, making training possible without the pressure of working on the actual product; performance impacts compensation decisions. GSK values performance with integrity. Recruiting and training will be the most significant challenges they face.

The Board indicated they are familiar with the GSK Hiring and Training Grant from the previous meeting. Monte stated they have the application ready if the Board decides to

be made if accepted by the Board. Monte will review these changes with Julie Foster when she returns tomorrow.

Commissioner Lund made a motion to continue this public hearing until Thursday, June 8th at 11:00 a.m., at which time any other applications can be received and the Board can make a formal and final decision. Commissioner Thompson seconded the motion and all voted 'aye'.

The Board met with Civil Counsel James McCubbin in regard to the establishment of assessing, calculating and spending the impact fees. According to 7-6-1604 (2, 3) MCA, there must be an impact fee advisory committee if impact fees are to be considered. The committee must have one representative of the development community and one CPA. The statute does not designate how many members there needs to be. James notes there is some question of the definition of what constitutes a member of the development committee. It was noted there is an upcoming workshop with Mr. Tischler on impact fees next week. The Commissioners discussion included the May 3rd meeting where Eric Simmons met with the Board, stating the schools will do their own impact fee study, but the County needs to enact the committee for them to move forward. James stated the Board should do a formal resolution and by-laws after they see what kind of response is received from the public on the committee. The Board concurred.

In other business, Commissioner Thompson attended a Human Resource meeting in Hamilton.

The Board made a site visit to Silverado heights Major Subdivision.

Commissioner Chilcott attended the public presentation by the Extension Candidates during the evening hours.